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ABSTRACT

As part of an ongoing study of The Mediation Project at the University of Massachusetts at Amherst a mediation process was observed and recorded, followed by a group interview including both disputants and mediators. The two disputants had lived together for two years and had made several purchases together. They participated in the mediation project to clear up their financial problems after they separated. The entire mediation lasted two sessions, and ways in which people might go about assessing good communication were explored. The study yielded six principles of good communication: (1) it is good to affirm and enact desired self-images and forms of relationships; (2) it is good to be clear about personal needs and goals; (3) it is good to understand and acknowledge the meanings which other people hold for the world; (4) it is good not to create insoluble problems; (5) when good intentions lead to undersirable consequences, it is often useless to spend time affirming good intentions; and (6) it is good to initiate an action to change an undesired pattern of interaction. The evaluation was heavily context-dependent and presupposed certain inherent features of communication. The person who successfully exploits the communication process can be thought of as someone who calls forms of reality into being; who works to create this reality; who acknowledges that this game of creation involves other players; and who recognizes that although the game escapes conscious control, this does not exempt individuals from responsibility. (Seventeen references and one appendix containing a rules analysis are attached.) (MG)

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Toward an Ethics of Communication

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What is good communication? This question has engaged some of our greatest thinkers, some of whom have addressed the question explicitly, others who have suggested an answer to the question in a more indirect manner. One answer to the question "what is good communication?" is "fidelity." The early Wittgenstein demonstrated the rules for constructing accurate descriptions of the world; in communication theory, Weaver concerned himself with the accurate transmission of messages.

Another answer to the question is "appropriateness." Ethnographers like Frake display the rules for meaning and action in a particular culture; the successful ethnographer is one who knows what it takes to act like a "native." Yet another potential answer to the question of "good communication" is "effectiveness." In his Rules for Radicals, Alinski argues that good communication is whatever works in helping us to achieve our ends. In marked contrast to this ethic is Buber's notion of "dialogue," and his assumption that good communication is that which establishes an "I-thou" rather than an "I-it" relationship between self and other. For thinkers like Campbell, Maslow, LeGuin, and Bettleheim, the criterion of "holism" is what separates good from bad communication. Good communication is that which puts us in touch with the darkest depths of our subconscious, as well as the furthest reaches of our potential. Finally, theorists like Frieri and Habermas have proposed that good communication is that which offers freedom and power to the greatest number of individuals in any society.

What is good communication? Must we choose from among the broad array of alternatives offered by these great thinkers? Or is there some validity to each of their claims? My hunch is that because "the good is no always everywhere the same," a whole-hearted, unthinking, acontextual

adherence to the ethic proposed by any one of these thinkers would necessarily constitute bad communication. Whatever our assessment of good communication is, it must take place in light of particular circumstances.

This paper proposes one tentative answer to the question "What is good communication?" Rather than being found in an abstract theoretical discussion of "the good," my answer is born in the examination of a particular case. In the process of coming to grips with real people in complex circumstances, I will provide us with a way of testing theoretical statements about good communication. After a brief discussion of my method, I will provide a description and explanation of a particular dispute mediation which involves four people (two "disputants" and two "mediators"). My evaluation of the communication in that mediation will follow, and therefore be grounded by, the description/explanation.

Method

This case is part of an ongoing study of The Mediation Project at the University of Massachusetts at Amherst. All participants granted permission for this case to be recorded for research purposes. The entire mediation lasted two sessions (approximately four hours). Both sessions were observed live behind a one-way mirror, videotaped, and transcribed. A group interview including both disputants and mediators was conducted immediately following the final session. Follow-up interviews were recorded; portions of each interview were transcribed.

Description

May and Ally lived together seven years before their separation. During the time of their cohabitation, they made a number of purchases together. Ally, a struggling writer, was often without cash. May, financially comfortable due to an inheritance, was able to help her out. Their largest joint purchase was a house. May covered the entire down payment, with the understanding that Ally would pay her back when she could. That was in May of 1981. When Ally moved out of the house in May 1983, she had not yet repaid any of her debt to May. Ally continued to borrow money from May until she moved in with another woman in November 1985.

May reports that at this point she realized that she and Ally were really "separate." Wanting to "clean the slate," May began asking Ally to pay back the money she owed. May's first request initiated an interaction in which she and Ally played out what May called their "old pattern": May expresses a desire to clear up the debt, Ally expresses her "inability" to pay, nothing is resolved, and both women end up feeling guilty and resentful. Two months later May told Ally that she thought mediation would be a good way to straighten things out. Ally was at first resentful, but two weeks later told May she thought it was a "good idea." Ally initiated the contact with the Mediation Project.

Ally and May followed the suggestion of the case coordinator by getting together before the mediation in order to begin brainstorming various ways of settling their accounts. The women later attributed much of the success of the mediation process to this preparatory meeting.

The entire mediation, which lasted two sessions, was conducted in a very amiable atmosphere that was at some times brisk and efficient, at

others thoughful and probing. The most striking characteristic of the interaction, however, was its relaxed and playful nature. The "disputants" did not act like disputants--they smiled, laughed, and joked with both each other and the mediators.

In the first session, Ally told the mediators that "the goal is to clear all of [the] financial mess up... so we can sort of go on being friends without all this garbage hanging on behind us." May agreed: "I need to divest myself of all the emotional baggage around this and I want to keep this relationship solid, so let's find a way to finally not have the money issue hanging over us for so long."

The women spent a good part of the first session explaining to the mediators the two options they had arrived at for clearing up their financial obligations. The first option involved a "balance sheet" approach (May's expression) in which the women would go over all their records and receipts, calculating Ally's debt to the last penny. Ally referred to this approach as "extraordinarily clear, but painful"; May referred to it as "picking a scab." The second option involved "wiping the slate clean" (again, May's expression) by choosing a fairly recent date and calling things "even" from that time forward. After some hesitation, the women chose the option they were clearly implying they prefered: "wiping the slate clean" (sometimes referred to as "Option 2").

The next part of the first session was devoted to figuring the precise date from which to figure Ally's debt. After this, the women decided how to divide up the possessions. Finally, they began a discussion as to the means by which Ally would repay her debt to May. In the second and final session, May and Ally worked out the remaining details of their agreement, including the interest to be paid on the

loan, a date by which Ally would present May with a statement indicating the starting date and rate of repayment, and a plan for adjusting the terms of the agreement in case of fluctuations in Ally's financial status.

At the time May and Ally signed the agreement, all participants considered the mediation a success. Ally had demonstrated greater responsibility for her financial obligations, and the women had begun to work through the details of a complex agreement that would finally settle their accounts. Both women repeated their positive assessment of the mediation when each of them was interviewed one month later.

Explanation

The "surface-level" description of the mediation provided in the immediately preceding section does not adequately account for two striking phenomena: (1) Despite the fact that May and Ally enjoy an excellent rapport, they felt the need to sort out their problems; and (2) Both May and Ally spent a great deal of time in the mediation referring to their images of "self" and relationship."

The second phenomenon can be explained in this way: the women's desire to clear up Ally's indebtedness to May was inextricably intertwined with their desire to change their definitions of "self" and "relationship." Thus references to amounts of money, the means by which it would be paid back, and the immediate process of making decisions, were all contextualized by both women in terms of what they meant to "self" and "relationship." The degree of reflective self-awareness, acknowledgment of the other, and conscious control of the mediation process itself were all extraordinary.

Ally's Meanings for the Mediation Process

Ally's actions during the mediation session are best explained in terms of her understandings of (1) her life-script, (2) her relationship with May, and (3) the mediation process. As for her life-script, Ally describes herself as a woman who is changing for the better by gaining more control of her financial affairs. Early on in the mediation May challenges Ally by asking her what will happen to the repayment of the debt if Ally's income falls below a certain level. Ally replies:

> What's different now is... I've spent a great deal of time trying to get in control of money the past few years and I don't mean just in terms of work but in terms of therapy... trying to deal with supporting myself.

It is important to Ally that May recognize not only the effort she has put into changing herself, but also the results of that effort. Those results include a real change for the better in her financial situation, and the feeling of self-confidence that has accompanied that change:

> I can say now I'm working at Sweetwater College and part of the reason I'm working there and staying there is because I am pretty sure that I can get up to a comfortable level of $15,000-$16,000 per year in a few years so that I can pay back not only what I owe you but what I owe other people. So, I feel differently now than I did a year ago, saying that I am more confident that I'm not going to be as floundering as I have been in the past which has been in co-op jobs, part-time jobs, and unemployment. So, I feel more confident that it is not going to go on forever and that part of my responsibility is to get $15,000 a year so that I can pay off debts. And not only do I feel that, but I'm in a situation where that can eventually happen. So that's how I'm thinking about about that... whether you trust that or not is a separate thing...

Although Ally has labels for her new self--"in control," "self-supporting," confident"--she has no such labels for whatever her new relationship with May may turn out to be. It has something to do with being less subject to May's advice about money matters. It also has something

to do with keeping discussions about money separate from questions of "trust" or "caring" in the friendship.

Ally saw the mediation process as a productive intervention into her and May's normal pattern of talking about money--in two ways. First, Ally appreciated having the "space" to talk without interruption from May. Second:

> I think because there were other people in the room, or there were mediators there, I was more concrete, and took what I said more seriously to myself...

Mediation, then, was a place for Ally to demonstrate to both May and herself her growing ability to be responsible about her financial affairs. This new affirmation and enactment of responsibility would allow her to maintain her friendship with May without feeling guilty about May's past generosity: "I would rather pay back the money... it could be a ways down the way which would be a little uncomfortable, but I think it would be less uncomfortable than having a debt forgiven..."

Ally's old life-script of "helplessness" with money matters (1) bonded her to May in a dependent relationship, and (2) freed her from responsibility. Ally's new life-script of greater "confidence" with money matters (1) changes her relationship with May from an undesired complementarity ("victim"/"rescuer") to a desired symmetricality ("friend"/"friend"), and (2) requires her to be responsible. Mediation provided a structured environment where Ally could take responsibility (she had to be "concrete" and "serious") without failing in the attempt (May did not interrupt and correct Ally--a part of their old pattern).

May's Meanings for the Mediation Process

May describes herself as someone who is obsessed with money matters:

> I'm feeling guilty about having it [money] and not being generous with it, and I feel resentful when I make certain loans or have certain understandings and they don't get paid back, and this isn't just with Ally but in general.

One of the things that May doesn't like about herslef is "having a balance sheet about everything in life."

May, like Ally, tends to describe herself in relationship to the other. She talks about "the dynamic of control and manipulation and dependency":

> I tended to be fairly controlling--very controlling--in our relationship, and... she was in a very dependent position when we first got involved ten years ago...

Like Ally, May sees their relationship as changing:

> She's been dealing with issues around money and her inability to handle that well in her own individual therapy, and I've been dealing with issues of letting go and termination, and, you know, not trying to control other people, and taking care of myself.

May saw the mediation as a "divorce," a way of finalizing a change in the definition of her relationship with Ally from "lovers" to "friends":

> There's something about saying those things publicly, saying them in front of a non-involved party, which is what a marriage is... you know, the ritual at the other end, the getting together, that gay couples, especially lesbian couples, don't have.

More specifically, May saw mediation as a place where the mediators could allow her and Ally to maintain their joking relationship, while at the same time making sure that real problems weren't being ignored:

> I have a tendency to say things that in fact have a great deal of significance to me that I don't think <u>should</u> have a great deal of significance to me in a fairly <u>light</u> manner, in a joking manner. And I remember that happening a couple of times, and that was not missed by the mediators. And they allowed whatever was happening to complete itself, and then went back to that jocular comment, and said, "What about...?"

May also recognized two other positive changes in mediation. Ally, in her initial presentation, spoke at length without interruption, which is the normal mode of presentation in mediation sessions. May wanted to correct what she thought were some inaccuracies in Ally's presentation, but did not. In the second session, when Ally came in with more information, May was pleased. She sees her self-restraint as connected to Ally's increased acceptance of responsibility:

> I think it reflects the change I'm trying to go through in my life with not trying to take over other people's appraisals of situations...

The second positive change was that May demonstrated to herslef that she could work through a problem with a friend without using the "balance sheet" approach:

> I realized what a burden my other mode is to me. And that was a big surprise. And so it was a way... going through this, the process, and making the decision that we did, is a way of validating a whole other way of behavior for me.

In summary--May defined her old self as someone who took a "balance sheet" approach to life, her new self as someone less attached to strict control of money and possessions. She defined her old relationship with Ally as one characterized by guilt and resentment on both sides. May felt guilty that perhaps she wasn't helping ~~May~~ Ally enough financially, but she also felt resentment related to the suspicion that Ally might be taking advantage of her. As a consequence of her resentment toward her good friend, she experienced more guilt, and so on. The relational definition May was looking for was from a "rescuer"/ "victim" relationship to a friendship free from mutual manipulation.

May's old life-script of "generosity" toward Ally (1) bonded her to Ally and gave her control of the relationship, and (2) allowed Ally to take advantage of her. May's new life-script of "letting go"

of Ally (1) changes the relationship to a desired symmetricality ("friend"/"friend"); and (2) requires Ally to be more responsible with money. Mediation provided a structured environment where May could "let go" (trust Ally to be more responsible) without being taken advantage of (Ally was signing an agreement witnessed by third parties).

Now to return to the first puzzle presented in this section of the paper: why did May and Ally need to appear before neutral third parties in order to sort out their problems? The answer has already been implied: for May and Ally, mediation was not only a mechanism through which they could settle their accounts. It was also a ritual affirmation of a new definition of relationship. Mediation was a "safe" environment (Ally's expression) where the women could affirm and enact their new relationship, a relationship in which they would no longer play their old manipulative game about money. The mediators served as "witnesses" who would require both women to "play fair." More important than anything the mediators might actually do or say was May and Ally's perception that mediation meant they had to be fair with each other.

Good and Bad Communication

Everything which has been presented about this case thus far is context for the following analysis and evaluation of an event which took place fairly early on in the first session:

Both Ally and May have made their initial presentations to the mediators. Both women have stated that although they are somewhat uncertain, they are both leaning strongly toward the second option ("wiping the slate clean"). May has just been discussing the implications

of choosing "Option 1" vs. "Option 2," and she has concluded that Option One would be emotionally draining because it would mean raking over old coals. Also, the "blance sheet approach" of Option One would reinforce for May a self-image that she has been trying to shed--her image of herself as someone who is overly attached to money and possessions. Pam asks May to imagine that the women have chosen Option Two:

PAM: Given the sort of emotional involvement with all these things how do you think this would... how would you look at it two years from now?

MAY: My sense is that I would feel... well, I feel right now that it would be an enormous relief and I think I would be pleased not to have gone through the detailed, picayune, you know... "Well, we bought this table, but I refinished it, and what's my time worth and labor, all that stuff because I could just see that going on forever. I guess I would be pleased if we could say our relationship was worth more than that and we can arrive at it on agreement and trust. (Ally pats May's knee affectionately; May smiles back at Ally.)

PAM: Thanks for answering such a convoluted question. (90) (Everyone laughs.)

ANGIE: Do you feel ready to choose which option? Which way to go about resolving?

MAY: Yes.

ANGIE: Do you feel ready--Ally--to choose? (95)

ALLY: You mean between one and two? Yes.

ANGIE: And are you agreed, do you think, on which one?

MAY: Yes. The question then... there are subsequent questions then.

ANGIE: Yes. Yes. (100)

MAY: Good work. (Everyone laughs.)

PAM: You are agreed then that Option Two makes more sense for both of you?

MAY: Yes, I think it does. I think it makes the most sense for the relationship.

ANGIE: What it sounds like you are agreed on is that you will try to try Option Two. I mean I suppose you do have the option... if it doesn't work--then what do you do?

MAY: I don't know why... You mean, I mean if it doesn't work because we begin to feel...

ANGIE: Yeah.

MAY: ...resentment?

ALLY: Do we have to think of that now?

ANGIE: I'm just... no.

PAM: (Defensively) It's just something to think about.

ALLY: That it's not totally cemented and if it doesn't work then in two weeks or six months we can... well, wait a sec (laughs)

PAM: Of course, our hope is that yes, in fact, once we have chosen that option it's an option that you'll feel comfortable with and be happy with and it will continue to serve your purposes for where you want to be. It's just something that might be... sometimes when you pick an option and you know you've got something to fall back on if that opinion starts feeling uncomfortable can make the option you've chosen more comfortable.

MAY: (Obviously unconvinced) I see. It throws me when you ask that because I think one of the reasons why, even though we have been able and I think because we... oh dear, three thoughts at once. (Admonishing herself) Choose one, May.

ALLY: You haven't had much sleep.

MAY: Despite the fact that we communicate well, it is important that we find another party help us resolve this. One of the reasons is because I want to agree to something that's been decided in front of somebody else, you know, our jury or whatever, that I have to remind myself, "May, you can't go back on this, you know, don't rethink it. This is a closed book and I don't want to go back and start thinking, "Oh, god, did she really get away with something?" or have you (indicating Ally) think, "Jeez, that house was worth a lot when she sold it finally... some of that should have been mine."

ANGIE: Actually, that's not really what my question was. It was more, if you find yourself... You both have some anxieties--

it sounds like--about it working. I mean, can this really work that we can just sort of do it without the ledger and saying, "You did this, and you did this." If you find during the mediation process that Option Two isn't working, I'm just anticipating... Do you want to have some other "fall back" option?

ALLY: For just this mediation process time... (150)

ANGIE: Yes, yes... and not after you have signed the agreement.

PAM: And it doesn't necessarily have to be Option One, either.

ALLY: We thought briefly about a partial Option One, you know. Some things... neither of us could figure out how to do that. You'd have to go through all the little things to figure out if there... There didn't seem to be a halfway with Option One because it is too complicated and there are too many things involved. If I wanted something considered... something might spring to May's mind that would offset that and so we really couldn't come up with something else. Maybe you can think of something for us.

ANGIE: I don't know that you need to come up with anything. I don't think we need to get bogged down in anticipating the worst because I have the utmost faith that you can work something out here, too. It is just something to feel like you've got some cushion.

PAM: I think maybe the trap you were trying to avoid falling into was... "Okay, we have chosen Option 2 now and by god we are going to, you know, have to go through with it whether we are feeling anything not quite positive about it."

ANGIE: Right, and feel like you failed if you can't get through this way and that there's no other way. (Pause.) So, enough said on that.

MAY: Well, I guess maybe that will be a clear question to me after I get a little more sleep and if we start talking about how we handled this stuff since May 1983

First, some cryptic assessments of the quality of this talk; then, a justification for the assessments:

Evaluation #1: Angie's question "If it doesn't work--then what do you do?" (l. 107-108) counts as bad communication.

Evaluation #2: May's speech beginning "Despite the fact that we communicate well..." (l. 131-141) counts as good communication.

Evaluation #3: Angie's speech beginning "Actually, that's not what my question was" (l. 142-149) counts as bad communication.

Evaluation #4: Ally's request "Maybe you can think of something for us" (l. 160-161) counts as good communication.

Elaboration of Evaluation #1. Angie's question counts as bad communication because it introduces uncertainty and encourages anxiety at a time when May and Ally needed to feel sure of their decision. Ally had indicated earlier in the session that if the women selected Option Two, "we'd have to each really feel that this was really true and not have any residual [doubts]."

Even if Angie did not attribute much significance to this telling statement, it is surprising that the cumulative events of the first twenty or so minutes of the mediation did not impress upon her the women's need to make an irrevocable decision. Prior to Angie's troublesome question, the two women had cautiously edged toward a decision that they clearly wanted to formalize. To their credit, the mediators performed a kind of legitimation ritual (l. 92-105) which is precisely what the women needed (l. 131-141). The ritual begins with the ceremonial question "Do you feel ready to choose which option?" Each of the two women affirm their desire to choose Option 2. May celebrates the decision by saying, "Good work." Everyone laughs. Whatever is expressed by the laughter, certainly part of it is relief (l. 101). At this point Angie says

> What it sounds like you are agreed on is that you will try to try Option Two. I mean I suppose you do have the option...

if it doesn't work--then what do you do?

This question initiates an unnecessary and undesirable sequence of events (for a more detailed rules analysis of the entire sequence, see the Appendix):

1. May is confused (l. 109-112).
2. Ally asks if this is a demand on the part of the mediators (l. 113).
3. Angie, chagrined, answers "no" (l. 114).
4. Pam comes to Angie's defense (l. 115).
5. Ally reconsiders Angie's original question (l. 116-117).
6. Pam attempts to justify the utility of the question (l. 118-125).
7. May, obviously unconvinced by Pam's justification, plitely explains that she and Ally need the mediators to legitimate their decision rather than question it (l. 126-141).
8. Angie denies that she was calling the disputants' decision into question; she was merely trying to keep their options open (l. 142-149).
9. Ally explains that she and May have been unable to generate any acceptable alternatives; she asks Angie if she has any ideas (l. 150-161).
10. Angie says that it's not absolutely necessary to come up with a back-up plan, but insists that it was a good idea (l. 162-166).
11. Pam attests to Angie's good intentions (l. 167-170).
12. Angie acknowledges Pam and asks that the discussion be closed (l. 171-173).
13. May gracefully acknowledges the close of this discussion, and initiates a new one regarding the specific terms of the agreement (l. 174-176).

In sum, this sequence of acts constitutes a debate about the meaning and value of Angie's question. Whatever Angie's intention was (ensuring a "fail-safe" agreement?), the effect of her question was an unwanted challenge to a ritual affirmation of a difficult decision. Luckily, May and Ally were resourceful enough to "save" their decision. With this entire wrangle as context, we can elaborate our other evaluations:

Elaboration of Evaluation #2. May's speech (l. 131-141) is the seventh act in the sequence of 13. It constitutes an instance of good communication because it is a polite and good-humored suggestion to the mediators of the role she needs them to play: "I want to agree to something that's been decided in front of somebody else, you know, our jury or whatever, that I have to remind myself, "May, you can't go back on this, you know, don't rethink it." May's speech offers the mediators an opportunity to end this fruitless discussion, adapt their strategy, and get on with the mediation.

Elaboration of Evaluation #3. Angie's response to May's speech (l. 142-149) counts as bad communication. If May's speech can be considered a clarification of what May and Ally need from the mediators, Angie's response is a disconfirmation of that expressed need. It is an "impervious response" (Seiburg, 1969) which demonstrates no recognition of what May has just said. Instead of acknowledging May's expressed need, Angie continues to defend her question by claiming that May has misinterpreted it. In her repetition of the question, however, Angie offers no significant new information. More important, Angie's repetition of her question demonstrates that she has not taken May's expressed need into account.

Elaboration of Evaluation #4. By the time Ally makes this speech (l. 153-161), a clear pattern has developed. As long as anyone challenges the meaning or value of Angie's question, Angie will continue to defend it. Whether or not she planned it that way, Ally's speech breaks the pattern

because it (1) affirms the validity of Angie's question, (2) demonstrates that May and Ally are incapable of responding adequately to the question, and (3) defers to Angie's wisdom in solving the problem. The effect of the speech is that Angie is empowered to make the decision that her question is irrelevant, and that it is time to proceed with the mediation.

What is "good communication"?

Taken together, the description, explanation, and focused evaluation of this mediation suggest six principles of good communication:

1. It is good to affirm and enact desired self-images, and desired forms of relationship. It is also important to be able to develop these desired images and forms in order to meet new contingencies. May and Ally both demonstrated their ability to affirm and enact a form of relationship that allowed each of them to proceed with their lives in a manner commensurate with their desired self-images. A critical moment in that affirmation and enactment was their joint decision to formalize the change in a public mediation session.

2. It is good to engage with other people by being clear about your own needs and goals. Although she was not acknowledged, May did well to explain to the mediators the role that she and Ally needed them to play.

3. It is good to engage with other people by understanding and acknowledging their meanings for the world. Frequently, the disputants practiced what Deetz and Stevenson call "acknowledgment"--"the construction of messages that explicitly express the speaker's understanding of another's thoughts,feelings, perceptions, and role definitions" (1986, p. 166). Only by understanding and acknowledging each other's meanings were May and Ally able to create the changes that each of them desired.
   By not acknowledging May's expressed needs, Angie prolonged the disruptive and unneeded wrangle over the meaning and value of her question.

4. It is good not to create insoluble problems for yourself or other people. One way to create an insoluble problem is to attempt to establish certainty, as with a perfect solution [1]. One way to interpret Angie's troublesome question is to see it as an attempt to help the disputants create a "fail-safe" agreement. Her question had the opposite effect in that it produced considerable anxiety

and uncertainty. Sometimes the way to be sure is to stop asking questions.

5. When your good intentions lead to undesirable consequences, it is often useless and sometimes harmful to spend time affirming your good intentions. Your time is better spent in addressing the consequences of your actions. One of the remarkable characteristics of the discourse reproduced in this paper is Angie's unflagging attempts to assert ~~the~~ the value of her question, even after it became clear that the question was unneeded and unwanted by the disputants.

6. When you perceive an undesired pattern of interaction, it is good to initiate an action that changes the pattern. Ally was able to end the wrangle over the meaning and value of Angie's question by not challenging the question, but rather affirming its value, demonstrating her inability to come to grips with it, and deferring to Angie's wisdom.

How do we know what "good communication" is?

I have made my good/bad evaluations from within the world view of "social constructionism." This world view can be usefully contrasted with the Platonic, positivistic, and phenomenological world views. I realize that I may offend some by lumping three very different approaches together; my intention, however, is not to imply that they are identical. I simply believe that the Platonists, positivists, and phenomenologists do hold in common a set of assumptions about Truth and how to find It. It is these truth-assumptions which I wish to contrast with some assumptions inherent in the social constrcutionist position. For the purpose of brevity, I shall refer to the first position as that of the "positivists," and to the second position as that of the "constructionists."

The positivists argue that Truth ("how things really are") is transcendent--it exists outside the realm of everyday experience, and it is therefore best known through actionless contemplation. Truth reveals itself to the mind (here theories of the divine nature of Truth enter). Constructionists argue that our ideas of "how things are" are immanent--

these ideas are both constructed and known in social action. For positivists, appearances may change, but Truth remains permanent; for the constructionists, even our most dearly held assumptions are subject to change. For positivists, Truth is irrefutable; a person who has "found" Truth stands "on unshakeable ground." Truth is the core; once it has been discovered it cannot be reduced or added to. For the constructionists, even the most elegant truth is uncertain; from the standpoint of its own assumptions it can be shown to be incomplete, inconsistent, or both. There is no core; every truth says both too little and too much. For the positivists, Truth is primary; it is a resting place at the beginning or the end of our experience, it is far up above in heaven, or far down below in "deep structure." For the constructionists, truth is perspectival. There are always many truths existing simultaneously, and there is no ultimate set of criteria for choosing among them. Not most, but all truths come into being and pass away, often to be renewed in altered form. There is no resting place.

Having surrendered the dream of certainty, how is the social constructionist to evaluate forms of communication? The first part of my answer to this question is easy: meanings may be forever immanent, changeable, and uncertain; those facts do not mean that meanings cannot be described, explained, or critiqued. Now the hard part: what constitutes a good critique? In part, I hope that my own critique of communication in a dispute mediation stands as an example. And what did I do? I began with a description of the case, then I offered an explanation, and finally, an evaluation. The description and explanation were informed by a communication theory developed by W. Barnett Pearce, Vernon E. Cronen,

and others (1980, 1982). The assumptions which guide the theory are commensurate with the assumptions of the social constructionist position. The assumptions are that communication is (1) interactive (in that it of necessity involves more than one person); (2) constructive (in that communication is the process by which we co-create and co-maintain sleves, relationships, institutions, and other forms of social reality); (3) indexical (in that words and other symbolic actions point beyond themselves, implicating multiple layers of meaning); (4) asymmetrical (in that persons cannot express the full richness of their meanings in any single interaction); (5) nonsummative (in that the pattern of action produced by persons in conversation will never precisely match the intentions of the persons who produced that pattern); (6) reflexive (in that the meanings which are produced in social interaction also serve to guide the interaction); (7) enmeshing (in that being a part of any conversation means being subject to the realities which it creates); and (8) durative (in that communication, and therefore forms of social reality, are realized and changed in time).

These assumptions about the process of communication do not provide us with a template for making evaluations; they do, however, provide us with "that which must always be presupposed" in the making of any evaluation. They also provide us with a technical vocabulary that can help us to explain why--in part--any performance constitutes a "good communication." For example: May and Ally's affirmation of their new identities/relationship was also an affirmation of the constructive potential of communication. May and Ally's ability to engage with each other by expressing "self's" needs/goals eloquently and by acknowledging "other's" needs/goals was a realization of the asymmetrical

asymmetrical characteristic of communication, as well as the constructive and enmeshing potential of communication. Their engagement with each other was good because it allowed them to work against the asymmetricity inherent in all communication. As a result, the new identities/relationship which they constructed in interaction were informed by much of the richness of their individual meanings. This is good because both of them will be enmeshed by those new identites and that new relationship. Angie's attempt to "nail down" May and Ally's decision was bad communication becuase it violated the constructive potential of communication which was in the midst of being so successfully exploited. Like a good positivist, Angie tried to help May and Ally achieve certainty by exploring every contingency. But if communication is not a means of establishing the truth-conditions of any plan or statement, but rather the means of constructing plans, statements, and the truth-conditions on which they are based, then Angie did not help May and Ally. In fact, she interfered with the process of affirming a new reality. Angie's insistence on the good intentions behind her problematic question was also bad communication because it was naive, given the nonsummative character of all communication (no intentions match their consequences). Recall that no one was sure of the meaning and value of her question. Angie's prolonged insistence on her good intentions was bad communication because it kept the conversation going--it enmeshed all participants in a fruitless discussion.

Finally, Ally's request to Angie--"maybe you can help us think of something"--was good communication because it exploited the reflexive potential of communication by reconstructing the context within which

the argument was taking place. By agreeing with Angie instead of arguing with her, and by defering to her wisdom, Ally successfully reconstructed the context of the interaction from "Angie defends the meaning and value of her question" to "Angie evaluates the meaning and value of her question." The consequence of this shift in context was that Angie was empowered to drop her question without losing face, and everyone was empowered to proceed with the next part of the mediation.

Conclusion

Even if it is true that "the good is not always everywhere the same," it does not necessarily follow that no principled judgments about what is good can be made. This paper has been an exploration of the ways in which we might go about assessing "good communication." Several important points have been demonstrated in the process. First, the evaluation was heavily context-dependent. Thus, in order to judge only four simple statements, it was necessary for me to place them in the context of the mediation as a whole, and within the history of the relationship of the women who came to mediation. Second, the evaluation presupposed certain inherent features of communication--that it is interactive, constructive, indexical, asymmetrical, nonsummative, reflexive, enmeshing, and durative. One way of "grounding" evaluative statements about communication is to refer to these inherent features. Persons who creatively exploit the process of communication are skilled at creating, affirming, developing, and changing forms of social reality. Persons who cannot creatively exploit the process are guilty of the sin of unrelieved literalness; they are likely to create seemingly insoluble problems for themselves and others. A whole-hearted dedication to an ethic of "fidelity" or "appropriateness" or "effectiveness" or "holism" would therefore be dangerous. The search for a single ethic

denies the amibiguity and irony of our existence; good communication must embrace the facts of ambiguity and irony.

The person who successfully exploits the communication process can be thought of as a "good player" who does not look for truth but calls forms of reality into being; who works to create this reality even though its perfect realization is impossible; who acknowledges that this game of creation involves other players, and so engages them; who recognizes that although the game escapes our conscious control, it does not exempt us from responsibility.

Notes

(1) Joseph Campbell admonishes the seekers of certainty by insisting upon the reality of "the sacrificial creative fire of the becoming thing that is no thing at all but life, not as it *will be* or as it *should be*, as it *was* or as it *never will be*, but as it *is*, in depth, in process, *here and now*, inside and out" (*The Masks of God: Creative Mythology*, pp. 7-8).

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APPENDIX

A CMM Rules Analysis of "The Clean Slate Case": Excerpt #2

78-80 PAM: **If** May is leaning toward Option 2 yet is still uncertain, **then** it is **legitimate** for me to ask a question **in order to** encourage her to consider the long-term consequences of that decision.

81-89 MAY: **Since** I am to consider the consequences of choosing Option 2, **then** it is **legitimate** for me to define those consequences as preferable **in order to** (1) come closer to a formal decision and (2) publicly affirm my good relationship with Ally.

90 PAM: **Since** May has successfully answered a question that I had difficulty formulating, **then** it is **legitimate** for me to call attention to this fact **in order to** (1) demonstrate to others that I am aware of my performance as a mediator and (2) help keep the mediation session "loose."

91 EVERYONE: **If** someone tells a joke, **then** it is **obligatory** for one or all of us to laugh **in order to** maintain the good atmosphere.

92-97 ANGIE: **Since** Ally and May have come to an implicit decision, **then** it is **obligatory** for us to provide the means by which they can make their decision explicit **in order to** help them arrive at a formal agreement. (It is **prohibited** for us to force them to come to a decision, or to suggest that we know what their decision will be, **because then** we would be violating the mediation ethics of "neutrality" and "empowerment of the disputants.")

98 MAY: **If** the mediators have brought us to an "agreement", **then** it is **obligatory** for us to let them know that there are "subsequent questions" **in order to** keep the mediation going.

101 MAY: **If** the mediators understand that this agreement does not end the mediation, **then** it is **legitimate** to say "Good work" **in order to** celebrate the agreement.

102-103 PAM: **If** the disputants have not actually said the words "Option 2," and if Ally has been mostly silent in the formalizing of the agreement, **then** it is obligatory for me to make sure that both Ally and May have agreed to take Option 2 **in order to** avoid false consensus.

106-108 ANGIE: **If** the disputants have decided upon a course of action, **then** it is **legitimate** to get them to consider "back-up plans" **in order to** help them create a "fail-safe" agreement.

109-112 MAY: **If** a mediator asks us to call into question the legitimacy of our agreement, **then** it is **obligatory** to request clarification **in order to** understand the mediator's motivation.

113 ALLY: **If** a mediator asks us to call our agreement into question, **then** it is legitimate to ask whether it is necessary to comply **in order to** get on with the mediation.

114 ANGIE: **If** a disputant asks whether or not she must follow a mediator's advice, **then** it is **obligatory** to answer "no" **in order** to empower the disputant.

If a disputant spotlights a mediator gaffe, **then** it is **obligatory** to display humility **in order to** demonstrate proper understanding of one's role.

115 PAM: **If** the mediation process is questioned (a fellow mediator is humbled), **then** it is **obligatory** to say something **in order to** legitimate the process (help both mediators to "save face").

116-117 ALLY: **If** the mediators ask us to "just think about" alternatives to our decision, **then** it is legitimate to object... (**in order to** preserve a decision which is supposed to eliminate the feelings of ambiguity which have been plaguing us?)

118-125 PAM: **If** Angie continues to object to the idea of considering alternatives, **then** it is **obligatory** to present a good reason as to why the disputants might want to consider alternatives **in order to** legitimate Angie's original question and my support of it.

126-141 MAY: **If** in insisting upon the legitimacy of their question the mediators fail to recognize the role that Ally and I need them to play, **then** it is obligatory for me to explain that role and why we need them to play it **in order to** help the mediators to affirm our decision (rather than qualify it).

142-149 ANGIE: **If** May criticizes me for asking an inappropriate question, **then** it is **obligatory** for me to prove that she misunderstood my question **in order to** establish once and for all both the legitimacy of the question and my competence as a mediator.

150-161 ALLY: **If** Angie is still struggling to maintain the validity of her question, **then** it is **legitimate** to first affirm the validity of the question, then demonstrate that the question creates problems which May and I cannot solve on our own, and finally defer to Angie's wisdom **in order to** (1) end Angie's struggle to save face and (2) get on with the mediation.

162-166 ANGIE: **If** Ally takes my question seriously yet is unable to come up with an answer to it, **then** it is **legitimate** for me to drop the question **in order to** get on with the mediation and display good will toward the disputants.

If I am going to drop my question, **then** it is **obligatory** to remind everyone that it was a good question **in order to** save face.

167-170 PAM: **If** Angie is no longer insisting upon her question, but still needs to feel that it was not wrong of her to ask it, **then** it is **obligatory** to demonstrate understanding **in order to** help Angie preserve an image of herself as a competent mediator.

171-173 ANGIE: **If** Pam demonstrates understanding of my position, **then** it is **legitimate** for me to acknowledge that understanding **in order to** feel better about myself.

Since I've become aware that I've been indulging in a certain level of self-justification, **then** it is **obligatory** for me to mark the discussion "closed" **in order to** make everyone feel more comfortable.

174-176 MAY: **If** the debate over Angie's question has ended, **then** it is **legitimate** for me to provide a graceful transition to the next item on my agenda **in order to** get on with the mediation.